



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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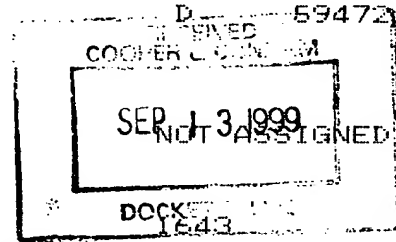
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/374,213 08/13/99 STERN

0242/0909

JOHN P WHITE
COOPER & DUNHAM LLP
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036



DATE MAILED:

09/09/99

11/9/99

3/9/2000

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 291.00.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
☒ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.
\$_____ for _____ independent claims over 3.
\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☒ 9. OTHER: Small Entity Status Missing

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

M Jackson

Customer Service Center
Initial Patent Examination Division (703) 308-1202

10/26/1999 CVRACHA 00000082 09374213 65.00 OP 01 205



SECTOR 18

#3

Dkt. 59472/JPW/SHS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David Stern, et al.
Serial No.: 09/374,213
Filed : August 13, 1999
For : METHODS OF INHIBITING BINDING OF β -SHEET FIBRIL TO
RAGE AND CONSEQUENCES THEREOF

1185 Avenue of the Americas
New York, New York 10036
October 22, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO SEPTEMBER 9, 1999
NOTICE TO FILE MISSING PARTS OF APPLICATION

This Communication is filed in response to a Notice to File Missing Parts of Application issued by the United States Patent on September 9, 1999 in connection with the above-identified application. A copy of the Notice is attached hereto as Exhibit A. The Notice provides a period of two months for filing a response. Accordingly, a response is due on November 9, 1999. Therefore this Communication is being timely filed.

The Notice indicates that the oath and declaration is missing. In response, applicants attach hereto as Exhibit B a Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §163. The Declaration refers to the application's above-identified serial number and filing date.

The Notice indicates that the small entity statement is missing. In response, applicants maintain that small entity status was applicable at the time of filing and that such status still applies. Applicants attach hereto as Exhibit C a Verified

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Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. §1.9(f) and §1.27(d) (Non-Profit Organization). The Statement is signed by an authorized official of the entity who has rights in the subject application, namely The Trustees of Columbia University in the City of New York.

The Notice To File Missing Parts of application states that the surcharge owed by applicant under 37 C.F.R. §1.16(e) is \$130.00. However, since small entity status is applicable, applicants maintain that the required fee is \$65.00 for a small entity and a check in this amount is enclosed.

The surcharge under 37 C.F.R. §1.16(e) for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(d) is \$65.00 for a small entity. Applicants previously established Small Entity Status and such status is still applicable. A check for a total amount of \$65.00 is enclosed to cover the surcharge for filing a Declaration and Power of Attorney.

In addition, the Notice states that the total amount owed by applicant as a non-small entity is \$291.00. Applicants respectfully contend that the United States Patent Office has miscalculated this amount. The correct amount for a non-small entity would be \$729.00 which includes the \$130.00 surcharge plus the \$760.00 basic filing fee plus the \$438.00 fee for additional claims minus the \$599.00 amount already paid. However, since small entity status is applicable, applicants contend that the \$599.00 filing fee was the correct amount and that the only amount now due is the \$65.00 surcharge under 37 C.F.R. §1.16(e).

In addition, in the event that the United States Patent and Trademark Office charged any fees in addition to those required for

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a small entity, applicants hereby request a refund for any such fees. This refund should be credited to Deposit Account No. 03-3125 under Docket No. 59472.

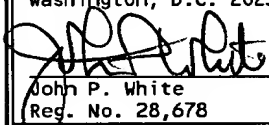
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

No fee, other than the enclosed \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
	10/22/99
John P. White Reg. No. 28,678	Date